

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OKLAHOMA**

1.	TIM HAMON,)	
)	
	Plaintiff,)	
)	
vs.)	Case No. 14-CV-00161-KEW
)	
2.	FARMERS INSURANCE)	
	COMPANY, INC.,)	
)	
	Defendant.)	

NOTICE OF REMOVAL

Defendant Farmers Insurance Company, Inc. ("Farmers"), hereby notifies the Court of the removal of the captioned action, and, in support of its removal in this case, states as follows:

General Allegations

1. The above-entitled cause was commenced in the District Court of Carter County, State of Oklahoma, on February 25, 2014, and is pending in that Court. (Petition in Carter County Case No. CJ-2014-44, attached hereto as Exhibit "1"). The Plaintiff filed an Amended Petition on April 22, 2014. (Amended Petition, attached hereto as Exhibit "2").

2. In the lawsuit, the Plaintiff asserts claims against Farmers for breach of contract, bad faith, fraud and declaratory judgment in connection with an auto property loss.

3. Farmers was served with the Plaintiff's Petition on March 10, 2014. Farmers was served with the Plaintiff's Amended Petition on April 22, 2014.

Diversity Jurisdiction

4. This Court has original jurisdiction over this action by reason of the diversity of citizenship of the parties, pursuant to 28 U.S.C.A. § 1332.

5. Complete diversity of citizenship exists in this case. The Plaintiff is a resident of Carter County, Oklahoma. Farmers is incorporated in the State of Kansas and its principal place of business is in California. Although Farmers does business in Oklahoma, it is not domiciled in Oklahoma for purposes of diversity jurisdiction.

6. The amount in controversy in this case, exclusive of interest and costs, exceeds Seventy Five Thousand Dollars and 00/100 (\$75,000.00). In his Amended Petition, the Plaintiff seeks actual and punitive damages in excess of \$75,000.00.

Removal Jurisdiction

7. This Court has removal jurisdiction over this case pursuant to 28 U.S.C. § 1441, et. seq., and all procedural requirements for removal are satisfied.

8. Farmers is removing this case to this Court within 30 days after receiving written notice that the Plaintiff seeks damages in excess of \$75,000.00 and within one year of the commencement of this action.

9. The only documents served on Farmers in this lawsuit are the Petition and First Amended Petition attached as Exhibits “1” and “2”; the Summons attached as Exhibit “3”; and the discovery requests attached as Exhibit “4”.

10. Farmers filed an Entry of Appearance in the underlying lawsuit on March 28, 2014, a copy of which is attached as Exhibit “5”.

11. A copy of the docket in the underlying action is attached hereto as Exhibit “6”.

WHEREFORE, Defendant Farmers Insurance Company, Inc. gives notice that the above-entitled action is hereby removed from the District Court of Carter, County, State of Oklahoma to the United States District Court for the Eastern District of Oklahoma.

Respectfully submitted,

TAYLOR, RYAN, MINTON, VAN DALSEM &
WILLIAMS, P.C.

By s/Ashley M. Bibb

ROBERT TAYLOR - OBA #8879

NEIL D. VAN DALSEM - OBA #16326

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CERTIFICATE OF SERVICE

I, ASHLEY M. BIBB, hereby certify that on the 28th day of April, 2014, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Mark H. Colbert

colbertlawoffice@yahoo.com

s/Ashley M. Bibb

ASHLEY M. BIBB